

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

EMED TECHNOLOGIES CORPORATION,

Plaintiff,

v.

EMED TECHNOLOGIES CORPORATION,
REPRO-MED SYSTEMS, INC. D/B/A RMS
MEDICAL PRODUCTS,

Defendants.

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Case No. 2:15-CV-01167-JRG-RSP


ORDER

The above entitled and numbered civil action was referred to United States Magistrate Judge Roy S. Payne pursuant to 28 U.S.C. § 636. Now before the Court is the Report & Recommendation (Dkt. No. 80) by Magistrate Judge Payne, which recommends that Defendant's motion to dismiss (Dkt. No. 66) be denied and Plaintiff's motion to amend its infringement contentions (Dkt. No. 67) be granted. No party has objected to the Report & Recommendation.

Having reviewed Magistrate Judge Payne's report, Defendant's motion, Plaintiff's response (Dkt. No. 69) and sur-reply (Dkt. No. 73) to Defendant's motion (Dkt. No. 66), Plaintiff's motion, and Defendant's response (Dkt. No. 70) and sur-reply (Dkt. No. 72) to Plaintiff's motion (Dkt. No. 67), the Court concludes that Magistrate Judge Payne's Report & Recommendation is correct. The Report & Recommendation (Dkt. No. 80) is hereby **ADOPTED**. Accordingly, Defendants' motion to dismiss (Dkt. No. 66) is **DENIED** and Plaintiff's motion to amend its infringement contentions (Dkt. No. 67) is **GRANTED**.

So Ordered this

Dec 6, 2018



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE